

EXHIBIT A

2120 - Served
 2220 - Not Served
 2320 - Served By Mail
 2420 - Served By Publication
 SUMMONS

2121 - Served
 2221 - Not Served
 2321 - Served By Mail
 2421 - Served By Publication
 ALIAS - SUMMONS

Name:
 Date:

Id:
 Time:

(2/28/11) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION

No. 2015 L 011752

PLEASE SERVE: M&M Logistics

203 Avenue 6NE

Atkins, AR 72823

LUCIOUS HARDING

(Name all parties)

v.

M&M LOGISTICS and EARVING COLE

☒ SUMMONS ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- | | | |
|---|--|--|
| <input type="radio"/> District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077 | <input type="radio"/> District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008 | <input type="radio"/> District 4 - Maywood
1500 Maybrook Ave.
Maywood, IL 60153 |
| <input type="radio"/> District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455 | <input type="radio"/> District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60428 | <input type="radio"/> Child Support
28 North Clark St., Room 200
Chicago, Illinois 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: 56948Name: Jack B. PriorAtty. for: PlaintiffAddress: 116 W. Illinois St., Ste. 3ECity/State/Zip: Chicago, Illinois 60654Telephone: (312) 955-0545

WITNESS, _____

DOROTHY BROWN
 CLERK OF CIRCUIT COURT



Date of service: _____

NOV 18 2015

(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

LUCIOUS HARDING,

Plaintiff,

v.

M&M LOGISTICS, INC., and
EARVING COLE

Defendants.

Case No. 2015 L

JURY DEMAND

COMPLAINT AT LAW

COUNT I – Negligence of Earving Cole

Plaintiff, LUCIOUS HARDING, by and through his attorneys, HART MCGOUGHLY & ELDRIDGE, LLC, and complaining of Defendant EARVING COLE, states as follows:

1. That on or around February 24, 2015, Plaintiff Lucious Harding was the operator of an automobile traveling southbound on Interstate 94, at or near its intersection with 95th Street.
2. That on and prior to February 24, 2015, Interstate 94 was a public roadway in the City of Chicago, County of Cook, and State of Illinois, which ran in a generally northerly and southerly direction.
3. That on or around February 24, 2015, Defendant M&M Logistics, Inc. was a company engaged in the business of transportation services.
4. That on February 24, 2015, at approximately 11:06 p.m., Defendant Earving Cole individually and as agent, servant and/or employee, whether actual or apparent of the Defendant M&M Logistics, Inc., operated, maintained and controlled a Freightliner which was proceeding southbound on Interstate 94.

5. That at the aforementioned time and a place, a collision occurred between the Freightliner and vehicles including the vehicle operated by Plaintiff.

6. At all times, Plaintiff Lucious Harding operated, maintained, and controlled his vehicle with due care and caution and in a careful and prudent manner.

7. That at all times relevant hereto, Defendant Earving Cole individually and as agent, servant and/or employee, whether actual or apparent of the Defendant M&M Logistics, Inc., by virtue of the statutes of the State of Illinois, and rules of the common law, owed a duty to exercise due care and caution in the operation of the motor vehicle then under his operation and control so as to avoid injury to the person and property of others using the roadways of Illinois, including Plaintiff.

8. Defendant Earving Cole, as agent, servant and/or employee, whether actual or apparent of the Defendant M&M Logistics, Inc., breached his duty and was negligent in one or more of the following ways, so far as is presently known:

- a. Failed to exercise due care to avoid colliding with vehicles including Plaintiff's vehicle;
- b. Failed to operate the vehicle at a speed which would permit the vehicle to be stopped within the assured clear distance head;
- c. Operated said motor vehicle without keeping a proper and sufficient lookout for other motor vehicles in and about the area, and more particularly for the vehicle being operated by the Plaintiff;
- d. Failed to maintain proper control over the guidance, maintenance, and operation of said motor vehicle in light of the circumstances that existed at the time complained of herein;

- e. Proceeded at a speed that was greater than reasonable and proper with regard to the traffic conditions in the use of the way, or which endangered the safety of the Plaintiff in violation of the provisions of 625 ILCS 5/11-601;
 - f. Failed to give audible warning with said vehicle's horn of the approach of said motor vehicle, although such warning was necessary to insure the safe operation of said vehicle, contrary to and in violation of the provisions of 625 ILCS 5/12-601;
 - g. Failed to keep said vehicle constantly in control;
 - h. Failed to stop said vehicle in time to avoid said collision, although Defendant saw, or should have seen, that it was impending and had ample time; and opportunity to avoid it; and
 - i. Was otherwise negligent and/or careless.
9. That as a direct and proximate result of Defendant Earving Cole's aforesaid careless and negligent acts and/or omissions, the Plaintiff was caused to sustain personal injuries; has expended, and will in the future expend, money to pay medical and hospital expenses; suffered, and in the future will suffer, great pain, anguish, and physical and mental suffering; and to be absent from his usual pursuits and occupation for a period of time.

WHEREFORE, Plaintiff prays for judgment against Defendant Earving Cole in a sum to exceed \$50,000 plus costs of suit and such other relief as this Court deems appropriate for Plaintiff's injuries, losses, and damages as herein above alleged.

COUNT II – Vicarious Liability of M&M Logistics, Inc.

Plaintiff, LUCIOUS HARDING, by and through his attorneys, HART MCLAUGHLIN & ELDRIDGE, LLC, and complaining of Defendant M&M Logistics, Inc., states as follows:

1. That on or around February 24, 2015, Plaintiff Lucious Harding was the operator of an automobile traveling southbound on Interstate 94, at or near its intersection with 95th Street.
2. That on and prior to February 24, 2015, Interstate 94 was a public roadway in the City of Chicago, County of Cook, and State of Illinois, which ran in a generally northerly and southerly direction.
3. That on or around February 24, 2015, Defendant M&M Logistics, Inc. was a company engaged in the business of transportation services.
4. That on February 24, 2015, at approximately 11:06 p.m., Defendant Earving Cole individually and as agent, servant and/or employee, whether actual or apparent of the Defendant M&M Logistics, Inc., operated, maintained and controlled a Freightliner which was proceeding southbound on Interstate 94.
5. That at the aforementioned time and a place, a collision occurred between the Freightliner and vehicles including the vehicle operated by Plaintiff.
6. At all times, Plaintiff Lucious Harding operated, maintained, and controlled his vehicle with due care and caution and in a careful and prudent manner.
7. That at all times relevant hereto, Defendant M&M Logistics, Inc., individually and based on the actions of its agents, servants and/or employees, whether actual or apparent, including, but not limited to, Defendant Earving Cole, by virtue of the statutes of the State of Illinois, and rules of the common law, owed a duty to possess, apply, and exercise ordinary care and caution in the

maintenance, operation, guidance, and control of its motor vehicle so as as to avoid injury to the person and property of others using the roadways of Illinois, including Plaintiff.

8. Defendant M&M Logistics, Inc., individually and based on the actions of its agents, servants and/or employees, whether actual or apparent, including but not limited to, Defendant Earving Cole, breached its duty and was negligent in one or more of the following ways, so far as is presently known:

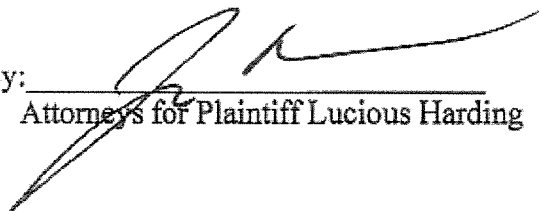
- a. Failed to exercise due care to avoid colliding with vehicles including Plaintiff's vehicle;
- b. Failed to operate the vehicle at a speed which would permit the vehicle to be stopped within the assured clear distance head;
- c. Operated said motor vehicle without keeping a proper and sufficient lookout for other motor vehicles in and about the area, and more particularly for the vehicle being operated by the Plaintiff;
- d. Failed to maintain proper control over the guidance, maintenance, and operation of said motor vehicle in light of the circumstances that existed at the time complained of herein;
- e. Proceeded at a speed that was greater than reasonable and proper with regard to the traffic conditions in the use of the way, or which endangered the safety of the Plaintiff in violation of the provisions of 625 ILCS 5/11-601;
- f. Failed to give audible warning with said vehicle's horn of the approach of said motor vehicle, although such warning was necessary to insure the safe operation of said vehicle, contrary to and in violation of the provisions of 625 ILCS 5/12-601;
- g. Failed to keep said vehicle constantly in control;

- h. Failed to stop said vehicle in time to avoid said collision, although Defendant saw, or should have seen, that it was impending and had ample time; and opportunity to avoid it; and
- i. Was otherwise negligent and/or careless.

9. That as a direct and proximate result of Defendant M&M Logistic Inc.'s aforesaid careless and negligent acts and/or omissions, individually and based on the actions of its agents, servants and/or employees, whether actual or apparent, including but not limited to, Defendant Earving Cole, the Plaintiff was caused to sustain personal injuries; has expended, and will in the future expend, money to pay medical and hospital expenses; suffered, and in the future will suffer, great pain, anguish, and physical and mental suffering; and to be absent from his usual pursuits and occupation for a period of time.

WHEREFORE, Plaintiff prays for judgment against Defendant M&M Logistics, Inc. in a sum to exceed \$50,000 plus costs of suit and such other relief as this Court deems appropriate for Plaintiff's injuries, losses, and damages as herein above alleged.

HART MCLAUGHLIN & ELDRIDGE, LLC

By: 
Attorneys for Plaintiff Lucious Harding

Steven A. Hart, Esq.
Robert J. McLaughlin, Esq.
Jack B. Prior, Esq.
Hart McLaughlin & Eldridge, LLC
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Chicago, IL 60654
312.955.0545

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

LUCIOUS HARDING,

Plaintiff,

V.

**M&M LOGISTICS, INC., and
EARVING COLE**

Defendants.

Case No. 2015 L _____

RULE 222(b) AFFIDAVIT OF DAMAGES

The undersigned verifies, pursuant to Rule 222(b), that the total damages sought by Plaintiff exceed \$50,000.00.

HART MCLAUGHLIN & ELDRIDGE, LLC

By: [Signature]
Attorneys for Plaintiff Licious Harding

Steven A. Hart, Esq.
Robert J. McLaughlin, Esq.
Jack B. Prior, Esq.
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